Docket No.: 42P18027



DEC 0 5 2005

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

XING SU, ET AL.

Application No.: 10/748,336

Filed: December 29, 2003

For: COMPOSITE ORGANIC-INORGANIC

NANOPARTICLES AND METHODS

FOR USE THEREOF

Art Group: Unknown

Examiner: To Be Determined

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

The references were cited in a Search Report dated November 9, 2005 (copy enclosed herewith) in a counterpart PCT application.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: December 02, 2005

Farzad E. Amini, Reg. No. 42,261

12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025

Telephone: (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

12-02-05

Date

-2- 42P18027

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Suppositivate for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

2

Sheet 1 of

Co	omplete if Known
Application Number	10/748,336
Filing Date	December 29, 2003
First Named Inventor	Xing Su
Art Unit	Unknown
Examiner Name	To Be Determined
Attorney Docket Number	42P18027

			U.S. PAT	ENT DOCUMENTS	
Examiner Initials*	Examiner Cite Initials* No.1 Number - Kind Code² (if known)		Publication Date Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,608,716 B1	08-19-2003	Armstrong, et al.	
		US-2003/0211488 A1	11-13-2003	Mirkin, et al.	
		US-2005/0089901 A1	04-28-2005	Porter, et al.	
		US-2005/0147963 A1	07-07-2005	Su, et al.	
		US-			

		FOI	REIGN PATEN	IT DOCUMENTS		
Examiner Cite		Foreign Patent Document			Pages, Columns, Lines, Where Relevant Passages	T-6
	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	1,
		EP 0 587 008 A1	03-16-1994	Tarcha, et al.		
		WO 01/25758 A1	04-12-2001	Natan		<u> </u> _
	<u> </u>	WO 02/40698 A2	05-23-2002	Singh, et al.		
		WO 2005/066370 A2	07-21-2005	Su		_
		WO 2005/066612 A2	07-21-2005	Chan		
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Examiner	Date	_		
Signature	Considered			
5.6				

Examiner. Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WiPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ³Kind of document by the appropriate symbols as indicated on the document under WiPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known					
Application Number	10/748,336				
Filing Date	December 29, 2003				
First Named Inventor	Xing Su				
Art Unit	Unknown				
Examiner Name	To Be Determined				
Attorney Docket Number	42P18027				

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		PCT International Search Report - dated 11/9/2005, International Application No. PCT/US2004/043878 - International Filing Date 12/28/2004 (P18027X2PCT) (16 pages)	
		Jing Ni, et al., "Immunoassay Readout Method Using Extrinsic Raman Labels Adsorbed on Immunogold Colloids", Analytical Chemistry, American Chemical Society, Columbus, USA, Vol. 71, No. 21, 1 November 1999 (pages 4903-4908), XP000989465, ISSN: 0003-2700	
		Grubisha, et al., "Fetomolar Detection of Prostate-Specific Antigen: An Immunoassay Based on Surface-Enhanced Raman Scattering and Immunogold Labels", Analytical Chemistry, American Chemical Society, Columbus, USA, Vol. 75, No. 21, 1 November 2003 (pages 5936-5943), XP001047339, ISSN: 0003-2700	
		Jain, "Nanotechnology in Clinical Laboratory Diagnostics", Clinica Chimica Acta, Amsterdam, NL, Vol. 358, No. 1-2, August 2005 (pages 37-54), XP004976368, ISSN: 0009-8981	
		Su, et al., "Composite Organic - Inorganic Nanoparticles (COINs) with Chemically Encoded Optical Signatures", Nano Letters, January 2005, Vol. 5, No. 1 (pages 49-54), XP002350668, ISSN: 1530-6984	

Examiner	Date
	A
Signature	Considered
1 - 3	

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

Based on PTO/SB/08B (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wtr) 08/11/2003. Send To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

¹Applicant's unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

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TRANSMITTAL FORM			Application No.	10/748,336	
		_	Filing Date	December 29, 2003	
(to be used for all	correspondence aft	er initial filing)	First Named Inventor	Xing Su	
			Art Unit	Unknown	
			Examiner Name	To Be Determined	
Total Number of	Pages in This Submission	on 18	Attorney Docket Number	42P18027	
	ENCLO	SURES (chec	ck all that apply)		
Fee Transmittal	Form	Drawing(s))	After Allowance Communication to TC	
Fee Attac	Fee Attached		elated Papers	Appeal Communication to Board of Appeals and Interferences	
Amendment / Re	esponse	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
After Fina Affidavits	al /declaration(s)	Petition to O Provisional	Convert a Application	Proprietary Information	
Extension of Tim	ne Request	Power of At Change of	ttorney, Revocation Correspondence Address	Status Letter	
Express Abandonment Request		Terminal Disclaimer		Other Enclosure(s) (please identify below):	
Information Disclosure Statement		Request for	Refund	Copy of PCT International Search Report - dated	
X PTO/SB/0	08	CD, Number of CD(s)		11/9/05; Copies of 9 Cited Art References; and Return	
Certified Copy of Document(s)	of Priority	Landso	cape Table on CD	Receipt Postcard	
Response to Mis Incomplete Appl	ssing Parts/ ication	Remarks			
	c Filing Fee				
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Parts und 1.52 or 1.5	e to Missing ler 37 CFR 53				
	SIGNATUR	E OF APPLICAN	NT, ATTORNEY, OR AG	SENT	
Firm or	Farzad E. Amir	ni, Reg. No. 4	2,261		
Individual name	BLAKELY, S	OKOLOFF,	TAYLOR & ZAFN	MAN LLP	
Signature	ARuna		5/-		
Date	December 2, 2	2005			
	CERTIF	CATE OF MAIL	ING/TRANSMISSION		
I hereby certify that this postage as first class n VA 22313-1450.	s correspondence is bein nail in an envelope addre	g deposited with the essed to: Mail Stop	e United States Postal Servi Amendment, Commissione	ce on the date shown below with sufficient r for Patents, P.O. Box 1450, Alexandria,	
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Based on PTO/SB/21 (09-04) as modified by Blakely, Solckoff Taylor & Zasoran (wtr.) 11/30/2005. SEND TO: Commissioner for Patents, P.O. Box 1450 glexar dria, VA 22313-1450

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	ITTAL	С	omplete if Known
FEE TRANSM	HIAL	Application Number	10/748,336
101 TY 200	05	Filing Date	December 29, 2003
Patent fees are subject to annual	revision.	First Named Inventor	Xing Su
Applicant claims small entity status.	See 37 CFR 1.27.	Examiner Name	To Be Determined
		Art Unit	Unknown
TOTAL AMOUNT OF PAYMENT	(\$)	Attorney Docket No.	42P18027

METHO	METHOD OF PAYMENT (check all that apply)							
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Deposit A	Account D	Deposit A	ccount N	Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & 2	Zafman LLP			
For the a	above-ider arge fee(s) arge any a	ntified der indicated dditional	posit acc I below fee(s) or	count, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below, except for the substraint of fee(s) Credit any overpayments 1.18 and 1.20.	filing fee			
FEE CALCU	FEE CALCULATION							
Large Er	ntity	Small	Entity	· .				
Fee	Fee		Fee		Eoo Doid			
Code	(\$)	Code		Fee Description	Fee Paid			
1051	130	2051	65	Surcharge - late filing fee or oath				
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.				
2053	130	2053	130	Non-English specification				
1251	120	2251	60	Extension for reply within first month				
1252	450	2252	225	Extension for reply within second month				
1253	1,020	2253	510	Extension for reply within third month				
1254	1,590	2254	795	Extension for reply within fourth month				
1255	2,160	2255	1,080	Extension for reply within fifth month				
1401	500	2401	250	Notice of Appeal				
1402	500	2402	250	Filing a brief in support of an appeal				
1403	1,000	2403	500	Request for oral hearing				
1451	1,510	2451	1,510	Petition to institute a public use proceeding				
1460	130	2460	130	Petitions to the Commissioner				
1807	-50	1807	50	Processing fee under 37 CFR 1.17(q)				
1806	180	1806	180	Submission of Information Disclosure Stmt				
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))				
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))				
Other fo	ı ee (spe	cify) _	_,					
	- ·			SUBTOTAL (2) (\$)				

SUBMITTED BY Complete (if applicable)						
Name (Print/Type)	Farzad E. Amini	Registration No. (Attorney/Agent)	42,261	Telephone	(310) 207-3800	
Signature	Wennet & In	`		Date	12/02/05	